

Translation

## PATENT COOPERATION TREATY



# **PCT**

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

(FCI Atticle 30 and Rule 70)							
Applicant's or agent's file reference 2002P12810WO	FOR FURTHER A	CTION	See Form PCT/IPEA/416				
International application No.	International filing d	ate (day/month/year)	Priority date (day/month/year)				
PCT/DE2003/002583	31 July 2003	(31.07.2003)	25 September 2002 (25.09.2002)				
International Patent Classification (IPC) or national classification and IPC H04L 29/12							
Applicant							
SIEMENS AKTIENGESELLSCHAFT							
<ol> <li>This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</li> </ol>							
2. This REPORT consists of a total of	2. This REPORT consists of a total of6 sheets, including this cover sheet.						
a. (sent to the applicant and	to the International Bi	ureau) a total of	sheets, as follows:				
sheets of the deco	cintian claims and/or	lmusinga suhiah hassa ka	son amonded and are the besit scales when				
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).							
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the							
Supplemental Box.							
b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s))  , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the							
Administrative Instructions).  4. This report contains indications relating to the following items:							
Box No. I Basis of the re							
	port		Í				
Box No. II Priority							
		egard to novelty, invent	ive step and industrial applicability				
Box No. IV Lack of unity o	of invention						
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;							
[]	citations and explanations supporting such statement  Box No. VI Certain documents cited						
Box No. VII Certain defects	in the international ap	plication					
Box No. VIII Certain observations on the international application							
Date of submission of the demand		Date of completion of this report					
16 April 2004 (16.04.2	004)	30 November 2004 (30.11.2004)					
Name and mailing address of the IPEA/EP		Authorized officer					
Facsimile No.		Telephone No.					



## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2003/002583

Box No. 1	<u> В</u>	asis of the report	
		o the language, this report is based on the international application in the lar licated under this item.	nguage in which it was filed, unless
		eport is based on translations from the original language into the following is language of a translation furnished for the purpose of:	ng language,
	in in	nternational search (under Rules 12.3 and 23.1(b))	
		publication of the international application (under Rule 12.4)	
	= :	nternational preliminary examination (under Rules 55.2 and/or 55.3)	
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3. 🔲		nendments have resulted in the cancellation of:	
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		any table(s) related to sequence listing (specify):	
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		the claims, Nos.	
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* If iten	n 4 app 	lies, some or all of those sheets may be marked "superseded."	



International application No.
PCT/DE 03/02583

v.	Reasoned statement under Article 3 citations and explanations supporting	5(2) with regard to nov g such statement	elty, inventive step or industrial appl	icability;
1.	Statement			
	Novelty (N)	Claims	1-13	YES
		Claims		NO
	Inventive step (IS)	Claims	/ 1-13	YES
		Claims	•	NO
	Industrial applicability (IA)	Claims	1-13	YES
		Claims		NO

- 2. Citations and explanations
  - 1. Reference is made to the following documents:

D1: WO 01 71977 A (BOSCO ERIC; AMERICA ONLINE INC (US); CHILES DAVID CLYDE (US)), 27 September

2001 (2001-09-27)

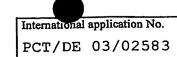
D2: US 2002/002621 Al (CHU JIE et al.), 3 January 2002 (2002-01-03)

2. The application presents the following problems of clarity (PCT Article 6) which are relevant to the examination of claim 1:

The feature "extended packet-oriented protocol" is unclear. For the purposes of the examination the term is assumed to refer to a point-to-point communication protocol as per the PPPoE specification (see the description, page 6, lines 32 to 35).

The feature "the address (A1) assigned to the first network element is transmitted to the external device without address translation" is unclear because the address in question is only assigned within the network (LAN) (claim 1, lines 6 to 9). For the purposes of the examination it is assumed (in line with the

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description, page 6, lines 29 to 32) that this feature corresponds to the feature in claim 11 according to which "there is no translation of the address assigned to the first network element by the external device for the duration of the transparent connection to suit the external device".

3. In so far as it is clear, the subject matter of independent claim 1 meets the PCT requirements of novelty, inventive step and industrial applicability (PCT Article 33(2) to (4)).

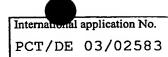
Document D1, which is considered to be the prior art closest to the subject matter of claim 1, discloses the following (the references in parentheses are to D1):

Method for the transparent exchange of data packets using a packet-oriented network connecting a plurality of network elements and a network node device (page 8, lines 11 to 13), wherein:

- the network elements are assigned unique addresses only within the network (page 20, lines 18 to 20),
- the network node device connects the packetoriented network to an external device (page 5, line 12 to 15);
- the network node device translates the address assigned within the packet-oriented network into an address that is valid for the external device (page 20, lines 1 to 8, and figure 11),

comprising the following steps:





- establishing a connection between a first
  network element and the external device
  (page 17, lines 1 to 7);
- checking message header entries in the data packets exchanged between the external device and the first network element (page 14, lines 5 to 11).

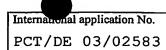
The subject matter of independent claim 1 of the present application differs from the above in that if an entry which is characteristic of an extended packet-oriented protocol is detected, a temporarily transparent connection is established between the first network element and the external device, and the address assigned to the first network element is transmitted to the external device without address translation.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can thus be seen as that of avoiding the conflict of address assignment that arises with address translation for certain applications.

The solution proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) because neither the idea of case-by-case analysis of the protocol as a criterion for the establishment of a transparent connection nor the problem addressed by the present invention is known from or suggested by D1.

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Document D2 discloses a solution to the problem addressed by the present invention, in which a PPP connection between a first network and a second network is established with no address translation. The solution described in D2 differs from that of the present application in that there is no case-by-case analysis of the protocol as a criterion for the establishment of such a connection.

The solution proposed in claim 1 therefore involves an inventive step (PCT Article 33(3)).

- 2.2 Claims 2 to 10 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.
- 3. The subject matter of independent claim 11 is a repetition of the subject matter of independent claim 1, but directed to a network node element.

  Claim 11 therefore also meets the PCT requirements of novelty, inventive step and industrial applicability.
- 3.1 Claims 12 and 13 are dependent on claim 11 and therefore also meet the PCT requirements in respect of novelty and inventive step.